

**UNITED STATES DISTRICT COURT
FOR THE MIDDLE DISTRICT OF GEORGIA
MACON DIVISION**

ASP FRANCHISING, LLC,

Plaintiff,

v.

ASCEND PROPERTY SERVICES, LLC, *et al.*,

Defendants.

Case No. 5:20-cv-00400-TES

**DECLARATION OF ROBERT L. ZISK IN SUPPORT OF
PLAINTIFF'S REQUEST FOR ENTRY OF DEFAULT**

I, Robert L. Zisk, hereby declare under penalty of perjury:

1. I am counsel of record for Plaintiff ASP Franchising, LLC in this case.
2. This action was commenced on October 15, 2020. *See* Complaint [Dkt. 1].
3. On October 16, 2020, Defendants Ascend Property Services, LLC and Kristian Hill were each personally served with the Summons [Dkt. 4], Complaint [Dkt. 1], Report on the Filing or Determination of an Action Regarding a Patent or Trademark [Dkt. 3], and Disclosure of Corporate Interest [Dkt. 2] in accordance with FED. R. CIV. P. 4(e)(2) and 4(h)(1). Affidavits of service have been entered on the docket for Ascend Property Services, LLC [Dkt. 9] and Kristian Hill [Dkt. 10].
4. Upon information and belief, Kristian Hill is neither incompetent nor a minor entitled to special service under FED. R. CIV. P. 4(g).
5. As shown in the Department of Defense Manpower Data Center Status Report attached to this Declaration as Exhibit A, Kristian Hill is not an active duty military service member entitled to protection under 50 U.S.C. § 3931.

6. Pursuant to FED. R. CIV. P. 12(a)(1)(A)(i), the deadline for Ascend Property Services, LLC and Kristian Hill to serve a responsive pleading was November 6, 2020.

7. To date, Ascend Property Services, LLC and Kristian Hill have failed to file any responsive pleading or enter any appearance in this action, despite having been properly served with process.

I hereby declare under penalty of perjury that the foregoing is true and correct to the best of my knowledge, information, and belief.

Executed this 19th day of January, 2021.

/s/ Robert L. Zisk